

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature Second Regular Session - 2012

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 502, As Amended

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO UNIFORMED CONTROLLED SUBSTANCES; AMENDING SECTION 37-2705, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SCHEDULE I CONTROLLED SUBSTANCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 37-2709, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SCHEDULE III CONTROLLED SUBSTANCES AND TO PROVIDE A CORRECT CITATION; AMENDING SECTION 37-2711, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SCHEDULE IV CONTROLLED SUBSTANCES; AND AMENDING SECTION 37-2713, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SCHEDULE V CONTROLLED SUBSTANCES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 37-2705, Idaho Code, be, and the same is hereby amended to read as follows:

37-2705. SCHEDULE I. (a) The controlled substances listed in this section are included in schedule I.

(b) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

- (1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);
- (2) Acetylmethadol;
- (3) Allylprodine;
- (4) Alphacetylmethadol (except levo-alphacetylmethadol also known as levo-alpha-acetylmethadol, levomethadyl acetate or LAAM);
- (5) Alphameprodine;
- (6) Alphamethadol;
- (7) Alpha-methylfentanyl;
- (8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);
- (9) Benzethidine;
- (10) Betacetylmethadol;
- (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide);
- (12) Beta-hydroxy-3-methylfentanyl (N-(1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide);
- (13) Betameprodine;
- (14) Betamethadol;
- (15) Betaprodine;
- (16) Clonitazene;
- (17) Dextromoramide;
- (18) Diampromide;
- (19) Diethylthiambutene;

- 1 (20) Difenoxin;
- 2 (21) Dimenoxadol;
- 3 (22) Dimepheptanol;
- 4 (23) Dimethylthiambutene;
- 5 (24) Dioxaphetyl butyrate;
- 6 (25) Dipipanone;
- 7 (26) Ethylmethylthiambutene;
- 8 (27) Etonitazene;
- 9 (28) Etoxeridine;
- 10 (29) Furethidine;
- 11 (30) Hydroxypethidine;
- 12 (31) Ketobemidone;
- 13 (32) Levomoramide;
- 14 (33) Levophenacylmorphane;
- 15 (34) 3-Methylfentanyl;
- 16 (35) 3-methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-pip-
- 17 eridiny]l)-N-phenylpropanamide);
- 18 (36) Morpheridine;
- 19 (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 20 (38) Noracymethadol;
- 21 (39) Norlevorphanol;
- 22 (40) Normethadone;
- 23 (41) Norpipanone;
- 24 (42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-
- 25 piperidiny]l propanamide);
- 26 (43) PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 27 (44) Phenadoxone;
- 28 (45) Phenampromide;
- 29 (46) Phenomorphan;
- 30 (47) Phenoperidine;
- 31 (48) Piritramide;
- 32 (49) Proheptazine;
- 33 (50) Properidine;
- 34 (51) Propiram;
- 35 (52) Racemoramide;
- 36 (53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidiny]l)-
- 37 propanamide);
- 38 (54) Tilidine;
- 39 (55) Trimeperidine.
- 40 (c) Any of the following opium derivatives, their salts, isomers and
- 41 salts of isomers, unless specifically excepted, whenever the existence of
- 42 these salts, isomers and salts of isomers is possible within the specific
- 43 chemical designation:
- 44 (1) Acetorphine;
- 45 (2) Acetyldihydrocodeine;
- 46 (3) Benzylmorphine;
- 47 (4) Codeine methylbromide;
- 48 (5) Codeine-N-Oxide;
- 49 (6) Cyprenorphine;
- 50 (7) Desomorphine;

- (8) Dihydromorphine;
- (9) Drotebanol;
- (10) Etorphine (except hydrochloride salt);
- (11) Heroin;
- (12) Hydromorphenol;
- (13) Methyldesorphine;
- (14) Methyldihydromorphine;
- (15) Morphine methylbromide;
- (16) Morphine methylsulfonate;
- (17) Morphine-N-Oxide;
- (18) Myrophine;
- (19) Nicocodeine;
- (20) Nicomorphine;
- (21) Normorphine;
- (22) Pholcodine;
- (23) Thebacon.

(d) Hallucinogenic substances. Any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation (for purposes of this paragraph only, the term "isomer" includes the optical, position and geometric isomers):

- (1) 4-bromo-2,5-dimethoxy amphetamine;
- (2) 2,5-dimethoxyamphetamine;
- (3) 4-bromo-2,5-dimethoxyphenethylamine (some other names: alpha-desmethyl DOB, 2C-B);
- (4) 2,5-dimethoxy-4-ethylamphetamine (another name: DOET);
- (5) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
- (6) 4-methoxyamphetamine (PMA);
- (7) 5-methoxy-3,4-methylenedioxy-amphetamine;
- (8) 5-methoxy-N,N-diisopropyltryptamine;
- (9) 4-methyl-2,5-dimethoxy-amphetamine (DOM, STP);
- (10) 3,4-methylenedioxy amphetamine;
- (11) 3,4-methylenedioxymethamphetamine (MDMA);
- (12) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and N-ethyl MDA, MDE, MDEA);
- (13) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4 (methylenedioxy) phenethylamine, and N-hydroxy MDA);
- (14) 3,4,5-trimethoxy amphetamine;
- (15) 5-methoxy-N,N-dimethyltryptamine (also known as 5-methoxy-3-2[2-(dimethylamino)ethyl]indole and 5-MeO-DMT);
- (16) Alpha-ethyltryptamine (some other names: etryptamine, 3-(2-aminoethyl) indole);
- (17) Alpha-methyltryptamine;
- (18) Bufotenine;
- (19) Diethyltryptamine (DET);
- (20) Dimethyltryptamine (DMT);

(201) Ibogaine;
 (212) Lysergic acid diethylamide;
 (223) Marihuana;
 (234) Mescaline;
 (245) Parahexyl;
 (256) Peyote;
 (267) N-ethyl-3-piperidyl benzilate;
 (278) N-methyl-3-piperidyl benzilate;
 (289) Psilocybin;

(2930) Psilocyn;
 (301) Tetrahydrocannabinols or synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure such as the following:

i. Tetrahydrocannabinols:

- a. Δ^1 cis or trans tetrahydrocannabinol, and their optical isomers, excluding dronabinol in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the U.S. Food and Drug Administration.
- b. Δ^6 cis or trans tetrahydrocannabinol, and their optical isomers.
- c. $\Delta^{3,4}$ cis or trans tetrahydrocannabinol, and its optical isomers. (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions are covered.)
- d. [(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2methyl-octan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol)], also known as 6aR-trans-3-(1,1-dimethylheptyl)-6a,7,10,10a-tetrahydro-1-hydroxy-6,6-dimethyl-6H-dibenzo[b,d]pyran-9-methanol (HU-210) and ~~it's~~ its geometric isomers (HU211 or dexanabinol).

ii. The following synthetic drugs:

- a. Any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring ~~by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl~~ to any extent, whether or not further substituted in the indole ring to any extent, whether or not substituted in the naphthyl ring to any extent.
- b. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring ~~by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl~~ to any extent, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any extent.
- c. Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution at the 3-position of the indene ring ~~by alkyl, alkenyl, cycloalkylmethyl, cy-~~

~~cycloalkylethyl or 2-(4-morpholinyl)ethyl to any extent,~~
 whether or not further substituted in the indene ring to any
 extent, whether or not substituted in the naphthyl ring to
 any extent.

d. Any compound structurally derived from 3-phenyl-
 acetylindole by substitution at the nitrogen atom of the
 indole ring ~~with alkyl, alkenyl, cycloalkylmethyl, cy-~~
~~cloalkylethyl or 2-(4-morpholinyl)ethyl to any extent,~~
 whether or not further substituted in the indole ring to any
 extent, whether or not substituted in the phenyl ring to any
 extent.

e. Any compound structurally derived from 2-(3-hydrox-
 ycyclohexyl)phenol by substitution at the 5-position of
 the phenolic ring ~~by alkyl, alkenyl, cycloalkylmethyl,~~
~~cycloalkylethyl or 2-(4-morpholinyl)ethyl to any extent,~~
 whether or not substituted in the cyclohexyl ring to any ex-
 tent.

f. Any compound structurally derived from 3-(benzoyl)in-
 dole structure with substitution at the nitrogen atom
 of the indole ring ~~by alkyl, alkenyl, cycloalkylmethyl,~~
~~cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or~~
~~2-(4-morpholinyl)ethyl to any extent,~~ whether or not fur-
 ther substituted in the indole ring to any extent and whether
 or not substituted in the phenyl ring to any extent.

g. [2,3-~~D~~dihydro-5-methyl-3-(4-morpholinyl-
 methyl)pyrrolo[1,2,3-~~de~~]-1,4-benzoxazin-6-yl]-1-
 naphthalenylmethanone (WIN-55,212-2).

h. 3-dimethylheptyl-11-hydroxyhexahydrocannabinol (HU-
 243).

i. [(6S, 6aR, 9R, 10aR)-9-hydroxy-6-methyl-3-[(2R)-
 5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahy-
 drophenanthridin-1-yl]acetate (CP 50,5561).

(312) Ethylamine analog of phencyclidine ~~(N-ethyl-1-phenylcy-~~
~~clohexylamine (1-phenylcyclohexyl) ethylamine; N-(1-phenylcy-~~
~~clohexyl) ethylamine, cyclohexamine, PCE;~~

(323) Pyrrolidine analog of phencyclidine: 1-(phenylcyclohex-
 yl)-pyrrolidine, PCPy, PHP;

(334) Thiophene analog of phencyclidine 1-[1-(2-thienyl)-cy-
 clohexyl]-piperidine, 2-thienylanalog of phencyclidine, TCP, TCP;

(345) 1-[1-(2-thienyl) cyclohexyl] pyrrolidine another name: TCPy;

(356) Spores or mycelium capable of producing mushrooms that contain
 psilocybin or psilocin.

(e) Unless specifically excepted or unless listed in another schedule,
 any material, compound, mixture or preparation which contains any quantity
 of the following substances having a depressant effect on the central ner-
 vous system, including its salts, isomers, and salts of isomers whenever the
 existence of such salts, isomers, and salts of isomers is possible within the
 specific chemical designation:

(1) Gamma hydroxybutyric acid (some other names include GHB; gamma-hydroxybutyrate, 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate);

(2) Flunitrazepam (also known as "R2," "Rohypnol");

(3) Mecloqualone;

(4) Methaqualone.

(f) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

(1) Aminorex (some other names: aminoxaphen, 2-amino-5-phenyl-2-oxazoline, or 4,5-dihydro-5-phenyl-2-oxazolamine);

(2) Cathinone (some other names: 2-amino-1-phenol-1-propanone, alpha-aminopropiophenone, 2-aminopropiophenone and norephedrone);

(3) Substituted cathinones. Any compound, except bupropion or compounds listed under a different schedule, structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl or thiophene ring systems, whether or not the compound is further modified in any of the following ways:

i. By substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl or halide substituents, whether or not further substituted in the ring system by one (1) or more other univalent substituents;

ii. By substitution at the 3-position with an acyclic alkyl substituent;

iii. By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl or methoxybenzyl groups, or by inclusion of the 2-amino nitrogen atom in a cyclic structure.

(4) Fenethylamine;

(5) Methcathinone (some other names: 2-(methyl-amino)-propiophenone, alpha-(methylamino)-propiophenone, N-methylcathinone, AL-464, AL-422, AL-463 and UR1423);

(6) (+/-)cis-4-methylaminorex [(+/-)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine];

(7) N-benzylpiperazine (also known as: BZP, 1-benzylpiperazine);

(8) N-ethylamphetamine;

(9) N,N-dimethylamphetamine (also known as: N,N-alpha-trimethyl-benzeneethanamine).

SECTION 2. That Section 37-2709, Idaho Code, be, and the same is hereby amended to read as follows:

37-2709. SCHEDULE III. (a) Schedule III shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section.

(b) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, (whether optical or geometric), and salts of such isomers whenever the existence of

1 such salts, isomers, and salts of isomers is possible within the specific
2 chemical designation:

3 (1) Those compounds, mixtures, or preparations in dosage unit form con-
4 taining any stimulant substances listed in schedule II which compounds,
5 mixtures, or preparations were listed ~~on August 25, 1971,~~ as excepted
6 compounds under ~~C.F.R. Sec. 308.32~~ 21 CFR 1308.32, and any other drug of
7 the quantitative composition shown in that list for those drugs or which
8 is the same except that it contains a lesser quantity of controlled sub-
9 stances.

10 (2) Benzphetamine;

11 (3) Chlorphentermine;

12 (4) Clortermine;

13 (5) Phendimetrazine.

14 (c) Depressants. Unless listed in another schedule, any material, com-
15 pound, mixture, or preparation which contains any quantity of the following
16 substances having a potential for abuse associated with a depressant effect
17 on the central nervous system:

18 (1) Any compound, mixture or preparation containing:

19 i. Amobarbital;

20 ii. Secobarbital;

21 iii. Pentobarbital or any salt thereof and one (1) or more other
22 active medicinal ingredients which are not listed in any schedule.

23 (2) Any suppository dosage form containing:

24 i. Amobarbital;

25 ii. Secobarbital;

26 iii. Pentobarbital or any salt of any of these drugs and approved
27 by the Food and Drug Administration for marketing only as a suppos-
28 itory.

29 (3) Any substance which contains any quantity of a derivative of barbi-
30 turic acid or any salt thereof, including, but not limited to:

31 i. Aprobarbital;

32 ii. Butabarbital (secbutabarbital);

33 iii. Butalbital;

34 iv. Butobarbital (butethal);

35 v. Talbutal;

36 vi. Thiamylal;

37 vii. Thiopental;

38 viii. Vinbarbital.

39 (4) Chlorhexadol;

40 (5) Embutramide;

41 (6) Any drug product containing gamma hydroxybutyric acid, including
42 its salts, isomers, and salts of isomers, for which an application is
43 approved under section 505 of the federal food, drug, and cosmetic act;

44 (7) Ketamine, its salts, isomers, and salts of isomers-
45 7285. (Some other names for ketamine: (+/-)-2-(2-chlorophenyl)-2-
46 (methylamino)-cyclohexanone).

47 (8) Lysergic acid;

48 (9) Lysergic acid amide;

49 (10) Methyprylon;

50 (11) Sulfondiethylmethane;

- 1 (12) Sulfonethylmethane;
2 (13) Sulfonmethane;
3 (14) Tiletamine and zolazepam or any salt thereof.
4 (d) Nalorphine.
5 (e) Narcotic drugs. Unless specifically excepted or unless listed in
6 another schedule:
7 (1) Any material, compound, mixture, or preparation containing limited
8 quantities of any of the following narcotic drugs, or any salts thereof:
9 (i) Not more than 1.8 grams of codeine, or any of its salts, per
10 100 milliliters or not more than 90 milligrams per dosage unit,
11 with an equal or greater quantity of an isoquinoline alkaloid of
12 opium;
13 (ii) Not more than 1.8 grams of codeine, or any of its salts, per
14 100 milliliters or not more than 90 milligrams per dosage unit,
15 with one (1) or more active, nonnarcotic ingredients in recognized
16 therapeutic amounts;
17 (iii) Not more than 300 milligrams of dihydrocodeinone, commonly
18 known as hydrocodone, or any of its salts, per 100 milliliters or
19 not more than 15 milligrams per dosage unit, with a fourfold or
20 greater quantity of an isoquinoline alkaloid of opium;
21 (iv) Not more than 300 milligrams of dihydrocodeinone, commonly
22 known as hydrocodone, or any of its salts, per 100 milliliters
23 or not more than 15 milligrams per dosage unit, with one (1) or
24 more active, nonnarcotic ingredients in recognized therapeutic
25 amounts;
26 (v) Not more than 1.8 grams of dihydrocodeine, or any of its
27 salts, per 100 milliliters or not more than 90 milligrams per
28 dosage unit, with one (1) or more active, nonnarcotic ingredients
29 in recognized therapeutic amounts;
30 (vi) Not more than 300 milligrams of ethylmorphine, or any of
31 its salts, per 100 milliliters or not more than 15 milligrams per
32 dosage unit, with one (1) or more ingredients in recognized thera-
33 peutic amounts;
34 (vii) Not more than 500 milligrams of opium per 100 milliliters
35 or per 100 grams, or not more than 25 milligrams per dosage unit,
36 with one (1) or more active, nonnarcotic ingredients in recognized
37 therapeutic amounts;
38 (viii) Not more than 50 milligrams of morphine, or any of its
39 salts, per 100 milliliters or per 100 grams with one (1) or more ac-
40 tive, nonnarcotic ingredients in recognized therapeutic amounts.
41 (2) Any material, compound, mixture, or preparation containing any of
42 the following narcotic drugs or their salts, as set forth below:
43 (i) Buprenorphine.
44 (ii) [Reserved].
45 (f) Anabolic steroids and human growth hormones. Any drug or hormonal
46 substance, chemically and pharmacologically related to testosterone (other
47 than estrogens, progestins and corticosteroids) that promotes muscle growth
48 including any salt, ester or isomer of a drug or substance listed in this
49 paragraph, if that salt, ester or isomer promotes muscle growth.
50 (1) 13beta-ethyl-17beta-hydroxygon-4-en-3-one;

1 (2) 17alpha-methyl-3alpha, 17beta-dihydroxy-5alpha-androstane;
 2 (3) 17alpha-methyl-3beta, 17beta-dihydroxy-5alpha-androstane;
 3 (4) 17alpha-methyl-3beta, 17beta-dihydroxyandrost-4-ene;
 4 (5) 17alpha-methyl-4-hydroxynandrolone;
 5 (6) 17alpha-methyl-delta1-dihydrotestosterone;
 6 (7) 19-nor-4-androstenediol;
 7 (8) 19-nor-4-androstenedione;
 8 (9) 19-nor-4, 9(10)-androstadienedione;
 9 (10) 19-nor-5-androstenediol;
 10 (11) 19-nor-5-androstenedione;
 11 (12) 1-androstenediol;
 12 (13) 1-androstenedione;
 13 (14) 3alpha, 17beta-dihydroxy-5alpha-androstane;
 14 (15) 3beta, 17beta-dihydroxy-5alpha-androstane;
 15 (16) 4-androstenediol;
 16 (17) 4-androstenedione;
 17 (18) 4-hydroxy-19-nortestosterone;
 18 (19) 4-hydroxytestosterone;
 19 (20) 5-androstenediol;
 20 (21) 5-androstenedione;
 21 (22) Androstenedione;
 22 (23) Bolasterone;
 23 (24) Boldenone;
 24 (25) Boldione;
 25 (26) Calusterone;
 26 (27) Chlorotestosterone (4-chlorotestosterone);
 27 (28) ~~Chorionic gonadotropin;~~
 28 ~~(29) Clostebol;~~
 29 (3029) Dehydrochlormethyltestosterone;
 30 (310) Delta1-dihydrotestosterone;
 31 (321) Desoxymethyltestosterone;
 32 (332) Dihydrotestosterone (4-dihydrotestosterone);
 33 (343) Drostanolone;
 34 (354) Ethylestrenol;
 35 (365) Fluoxymesterone;
 36 (376) Formebolone;
 37 (387) Furazabol;
 38 (398) Human growth hormones;
 39 (4039) Mestanolone;
 40 (410) Mesterolone;
 41 (421) Methandienone;
 42 (432) Methandranone;
 43 (443) Methandriol;
 44 (454) Methandrostenolone;
 45 (465) Methenolone;
 46 (476) Methyldienolone;
 47 (487) Methyltestosterone;
 48 (498) Methyltrienolone;
 49 (5049) Mibolerone;
 50 (510) Nandrolone;

1 (521) Norbolethone;
 2 (532) Norclostebol;
 3 (543) Norethandrolone;
 4 (554) Normethandrolone;
 5 (565) Oxandrolone;
 6 (576) Oxymesterone;
 7 (587) Oxymetholone;
 8 (598) Stanolone;
 9 (6059) Stanozolol;
 10 (610) Stenbolone;
 11 (621) Testolactone;
 12 (632) Testosterone;
 13 (643) Testosterone cypionate;
 14 (654) Testosterone enanthate;
 15 (665) Testosterone propionate;
 16 (676) Tetrahydrogestrinone;
 17 (687) Trenbolone.

18 Anabolic steroids that are expressly intended for administration
 19 through implants to cattle or other nonhuman species, and that are approved
 20 by the federal Food and Drug Administration for such use, shall not be clas-
 21 sified as controlled substances under this act and shall not be governed by
 22 its provisions.

23 In addition to the penalties prescribed in article IV of the uniform
 24 controlled substances act, any person shall be guilty of a felony who pre-
 25 scribes, dispenses, supplies, sells, delivers, manufactures or possesses
 26 with the intent to prescribe, dispense, supply, sell, deliver or manufac-
 27 ture anabolic steroids or any other human growth hormone for purposes of
 28 enhancing performance in an exercise, sport or game or hormonal manipulation
 29 intended to increase muscle mass, strength or weight without a medical ne-
 30 cessity as determined by a physician.

31 (g) Hallucinogenic substances.

32 (1) Dronabinol (synthetic) in sesame oil and encapsulated in a soft
 33 gelatin capsule in the federal Food and Drug Administration ap-
 34 proved product -- 7369. (Some other names for dronabinol: (6aR-
 35 trans) -6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo
 36 [b,d]pyran-1-ol or (-)-delta-9-(trans)-tetrahydrocannabinol).

37 (h) Other substances. Unless specifically excepted, or unless listed
 38 in another schedule, any material, compound, mixture, or preparation which
 39 contains any quantity of the following substance, including its salts:

40 (1) Butorphanol.

41 (i) The board may except by rule any compound, mixture, or preparation
 42 containing any stimulant or depressant substance listed in subsections (b)
 43 and (c) of this section from the application of all or any part of this act if
 44 the compound, mixture, or preparation contains one (1) or more active medic-
 45 inal ingredients not having a stimulant or depressant effect on the central
 46 nervous system, and if the admixtures are included therein in combinations,
 47 quantity, proportion, or concentration that vitiate the potential for abuse
 48 of the substances which have a stimulant or depressant effect on the central
 49 nervous system.

SECTION 3. That Section 37-2711, Idaho Code, be, and the same is hereby amended to read as follows:

37-2711. SCHEDULE IV. (a) Schedule IV shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section.

(b) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

(1) No more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit;

(2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propionoxybutane).

(c) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Alprazolam;

(2) Barbitol;

(3) Bromazepam;

(4) Camazepam;

(5) Carisprodol;

(6) Chloral betaine;

~~(67)~~ Chloral hydrate;

~~(78)~~ Chlordiazepoxide;

~~(89)~~ Clobazam;

~~(910)~~ Clonazepam;

~~(101)~~ Clorazepate;

~~(112)~~ Clotiazepam;

~~(123)~~ Cloxazolam;

~~(134)~~ Delorazepam;

~~(145)~~ Diazepam;

~~(156)~~ Dichloralphenazone;

~~(167)~~ Estazolam;

~~(178)~~ Ethchlorvynol;

~~(189)~~ Ethinamate;

~~(1920)~~ Ethyl loflazepate;

~~(201)~~ Fludiazepam;

~~(212)~~ Flurazepam;

~~(223)~~ Halazepam;

~~(234)~~ Haloxazolam;

~~(245)~~ Ketazolam;

~~(256)~~ Loprazolam;

~~(267)~~ Lorazepam;

~~(278)~~ Lormetazepam;

~~(289)~~ Mebutamate;

~~(2930)~~ Medazepam;

~~(301)~~ Meprobamate;

1 (312) Methohexital;
 2 (323) Methylphenobarbital (mephobarbital);
 3 (334) Midazolam;
 4 (345) Nimetazepam;
 5 (356) Nitrazepam;
 6 (367) Nordiazepam;
 7 (378) Oxazepam;
 8 (389) Oxazolam;
 9 (3940) Paraldehyde;
 10 (401) Petrichloral;
 11 (412) Phenobarbital;
 12 (423) Pinazepam;
 13 (434) Prazepam;
 14 (445) Temazepam;
 15 (456) Tetrazepam;
 16 (467) Triazolam;
 17 (478) Quazepam;
 18 (489) Zaleplon;
 19 (4950) Zolpidem;
 20 (501) Zopiclone.

21 (d) Fenfluramine -- Any material, compound, mixture, or preparation
 22 which contains any quantity of the following substances, including its
 23 salts, isomers (whether optical, position, or geometric), and salts of such
 24 isomers, whenever the existence of such salts, isomers, and salts of isomers
 25 is possible:

26 (1) Dexfenfluramine;
 27 (2) Fenfluramine.

28 (e) Stimulants. Unless specifically excepted or unless listed in an-
 29 other schedule, any material, compound, mixture, or preparation which con-
 30 tains any quantity of the following substances having a stimulant effect on
 31 the central nervous system, including its salts, isomers (whether optical,
 32 position, or geometric), and salts of such isomers whenever the existence
 33 of such salts, isomers, and salts of isomers is possible within the specific
 34 chemical designation:

35 (1) Cathine ((+)-norpseudoephedrine);
 36 (2) Diethylpropion;
 37 (3) Fencamfamin;
 38 (4) Fenproporex;
 39 (5) Mazindol;
 40 (6) Mefenorex;
 41 (7) Modafinil;
 42 (8) Pemoline (including organometallic complexes and chelates
 43 thereof);
 44 (9) Phentermine;
 45 (10) Pipradrol;
 46 (11) Sibutramine;
 47 (12) SPA ((-)-1-dimethylamino-1,2-diphenylethane).

48 (f) Other substances. Unless specifically excepted, or unless listed
 49 in another schedule, any material, compound, mixture or preparation which
 50 contains any quantity of the following substances, including its salts:

1 (1) Pentazocine;

2 (2) Fospropofol.

3 (g) The board may except by rule any compound, mixture, or preparation
4 containing any depressant substance listed in subsection (c) of this sec-
5 tion from the application of all or any part of this act if the compound,
6 mixture, or preparation contains one (1) or more active medicinal ingredi-
7 ents not having a depressant effect on the central nervous system, and if the
8 admixtures are included therein in combinations, quantity, proportion, or
9 concentration that vitiate the potential for abuse of the substances which
10 have a depressant effect on the central nervous system.

11 SECTION 4. That Section 37-2713, Idaho Code, be, and the same is hereby
12 amended to read as follows:

13 37-2713. SCHEDULE V. (a) Schedule V shall consist of the drugs and
14 other substances, by whatever official name, common or usual name, chemical
15 name, or brand name designated, listed in this section.

16 (b) Narcotic drugs. Unless specifically excepted or unless listed in
17 another schedule, any material, compound, mixture, or preparation contain-
18 ing any of the following narcotic drugs and their salts, as set forth below.

19 (c) Narcotic drugs containing nonnarcotic active medicinal ingredi-
20 ents. Any compound, mixture, or preparation containing any of the follow-
21 ing limited quantities of narcotic drugs or salts thereof, which shall in-
22 clude one (1) or more nonnarcotic active medicinal ingredients in sufficient
23 proportion to confer upon the compound, mixture, or preparation, valuable
24 medicinal qualities other than those possessed by the narcotic drug alone:

25 (1) Not more than 200 milligrams of codeine per 100 milliliters or per
26 100 grams;

27 (2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters
28 or per 100 grams;

29 (3) Not more than 100 milligrams of ethylmorphine per 100 milliliters
30 or per 100 grams;

31 (4) Not more than 2.5 milligrams of diphenoxylate and not less than 25
32 micrograms of atropine sulfate per dosage unit;

33 (5) Not more than 100 milligrams of opium per 100 milliliters or per 100
34 grams;

35 (6) Not more than 0.5 milligrams difenoxin and not less than 25 micro-
36 grams of atropine sulfate per dosage unit.

37 (d) Other substances. Unless specifically excepted or unless listed
38 in another schedule, any material, compound, mixture or preparation which
39 contains any quantity of the following substances, including its salts:

40 (1) Ezogabine [N-[2-amino-4-(4-fluorobenzylamino)-phenyl]-carbamic
41 acid ethyl ester]-2779;

42 (2) Lacosamide;

43 (23) Pregabalin;

44 (34) Propylhexedrine (except as Benzedrex™ inhaler);

45 (45) Pyrovalerone.